

On February 19, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9538. Misbranding of Robert J. Pierce's tansy, cotton root, pennyroyal, and apiol tablets. U. S. * * * v. 5 Dozen Packages and 6 Dozen Packages of Robert J. Pierce's Tansy, Cotton Root, Pennyroyal, and Apiol Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13294, 13295. I. S. Nos. 5801-t, 5804-t. S. Nos. E-2615, E-2631.)

On August 24, 1920, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 dozen packages and 6 dozen packages of Robert J. Pierce's tansy, cotton root, pennyroyal, and apiol tablets, consigned by Robert J. Pierce, Inc., New York, N. Y., remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped from New York, N. Y., on May 24 and July 27, 1920, respectively, and transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes, ferrous sulphate, oil of pennyroyal, and plant extractives.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing in the labeling, to wit, (box) "Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal and Apiol Tablets. A Safe Emmenagogue, Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function," (circular) "* * * Tansy, Cotton Root, Pennyroyal and Apiol Tablets * * * The Celebrated Female Regulator * * * Delayed Menstruations When the suppression is of long standing * * * take one * * * until four days before the time when the menses should appear * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one tablet three times daily * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual period," were false and fraudulent in that they were applied to the said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it was effective as a remedy for the suppression of the menstrual function, when, in truth and in fact, the said article contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed.

On June 28, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9539. Misbranding of Wendell's Ambition Brand pills. U. S. * * * v. 12 Dozen Packages, et al., of Wendell's Ambition Brand Pills. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13515, 13539, 13540, 13541. I. S. Nos. 1735-t, 481-t, 1745-t, 491-t. S. Nos. C-2123, C-2124, C-2125, C-2166.)

On August 30, 1920, the United States attorney for the Southern District of Ohio, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and con-